

## **Local Discussions Related to Disproportionate Minority Contact**

**Iowa Department of Human Rights  
Division of Criminal and Juvenile Justice Planning (CJJP)  
Report to Black Hawk County Officials**

**Fall 2012**

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## **Section I - Background**

The Iowa Department of Human Rights, Division of Criminal and Juvenile Justice Planning (CJJP) provides state oversight for Iowa's administration of the federal Juvenile Justice and Delinquency Prevention Act (JJDP Act). A key requirement of the JJDP Act relates to Disproportionate Minority Contact (DMC) of youth in Iowa's juvenile justice system. Minority youth are overrepresented, in Iowa and nationally, at a variety of juvenile justice system decision making phases. CJJP, its Juvenile Justice Advisory Council (JJAC), and the State DMC Subcommittee are offering Black Hawk County specific technical assistance to affect DMC. CJJP, directly or through contract providers, has provided similar technical assistance to Black Hawk, Johnson, Polk, and Woodbury Counties for a number of years.

CJJP carries out research, policy analysis, program development and data analysis activities to assist policy makers, criminal and juvenile justice system agencies and others to identify issues of concern and to improve the operation and effectiveness of the justice and juvenile justice systems. In recent years CJJP has initiated activity specific to the school discipline process as a result of recommendations from a 2009 study committee, the Governor's Youth Race and Detention Task Force.

## **Section II - Report Composition**

A number of persons were interviewed for preparation of this report (see Attachment A). Local interviewees were asked about their perceptions of issues related to DMC, activities related to DMC, and potential avenues for technical assistance by CJJP. This report is a summary of those discussions and identification of a number of major efforts. Within the various major efforts are noted identified issue/activity, relevant data, challenges, and CJJP recommendations.

CJJP was afforded every courtesy as interviews were being scheduled and conducted and community officials and citizens willingly gave of their time for interviews. All persons were open, forthcoming, and genuinely interested with how to influence DMC. Their assistance with the interviews and commitment to DMC is noteworthy and appreciated.

### **Local Groups**

Throughout the interview process a variety of local groups were identified that have involvement or activity related directly to DMC. The below groups are not a comprehensive list of relevant local DMC related groups, nor does this report seek to explain the various activities and goals of the listed groups. The groups are listed here as potential discussion entities related to the recommendations or other information provided in this report, or were referenced in local discussions for their specific DMC related contributions in the community. Other local groups can and will be added to the distribution list for this report as requested locally.

DMC Committee  
Cedar Valleys Promise  
Iowa Safe and Supp. Schools (IS3)  
Justice Reform Consortium  
Community Ptnshp. for Prot. Children

Eastside Ministerial Alliance  
Black Hawk County Decat. Board  
Task Force on the War on Drugs  
JDAI Steering Committee  
BH County Transitional Planning Committee

## Census Data

Most of the data provided in this report are aggregated by race/ethnicity. As a reference CJJP is providing youth census data for Black Hawk County in Figure 1.

**Figure 1**  
**Population Data - Black Hawk County Youth - Ages 10-17**

	<b>Total Youth Population</b>	<b>Cauc.</b>	<b>Afr.-Amer.</b>	<b>Hisp./Lat.</b>	<b>Asian</b>	<b>Nat. Amer.</b>	<b>Total Minority Population</b>
Number	12,215	9,296	1,892	775	223	29	2,919
Percentage*		76%	16%	6%	2%	1%	24%

Source: 2010 National Criminal Justice Reference Service Data

\* Percentages may not equal 100% due to rounding.

## **Section III – Detention Reform**

### **Identified Issue/Activity**

For a number of years Black Hawk County has been a site for a national training and technical assistance effort related to juvenile detention reform from the Annie E. Casey Foundation's Juvenile Detention Alternatives Initiative (JDAI). Black Hawk, as well as Polk and Woodbury Counties, are participants in the effort. A local JDAI Committee provided oversight for the effort, which includes as one of its major accomplishments the implementation of a Detention Screening Tool (DST). As a result of JDAI and other local efforts, Black Hawk County has experienced dramatic reductions in juvenile detention facility holds for all youth. The reductions are unprecedented. Juvenile Court Services (JCS), local Judges, leaders from the minority community, County officials, the Board of Supervisors, North Iowa Juvenile Detention Facility, and others were major contributors to the JDAI effort.

A year ago Black Hawk County stopped employing a local JDAI coordinator. None of the three JDAI sites presently employ a coordinator, thus, the role and involvement of local sites has changed. However, all three sites are presently screening local juvenile detention admissions and providing hard copies of such forms to CJJP. The three sites are also accepting funds to send local staff to the Annual Annie E. Casey Foundation JDAI Inter-site Conference. Given Black Hawk's continuing involvement, CJJP and Casey Foundation staff classify Black Hawk County a JDAI site.

### **Relevant Data**

Below are tables with information regarding Black Hawk County juvenile detention facility holds and detention rates for youth ages 10-17. The data are taken from the DMC matrices of Iowa's 2012 Juvenile Justice and Delinquency Prevention Act Three Year Plan ([http://www.humanrights.iowa.gov/cjip/images/pdf/2012\\_3YearPlan.pdf](http://www.humanrights.iowa.gov/cjip/images/pdf/2012_3YearPlan.pdf)). The matrices ([http://www.humanrights.iowa.gov/cjip/dmc/dmc\\_data.html](http://www.humanrights.iowa.gov/cjip/dmc/dmc_data.html)) are an instrument utilized by the federal Office of Juvenile Justice and Delinquency Prevent (OJJDP) to measure and compare compliance with the DMC Requirement of the JJDP Act. An overall description of the matrices is provided on pages 75 through 78 of the plan. Calendar year 2011 is the most recently completed matrix, and select pages have been included as Attachment B.

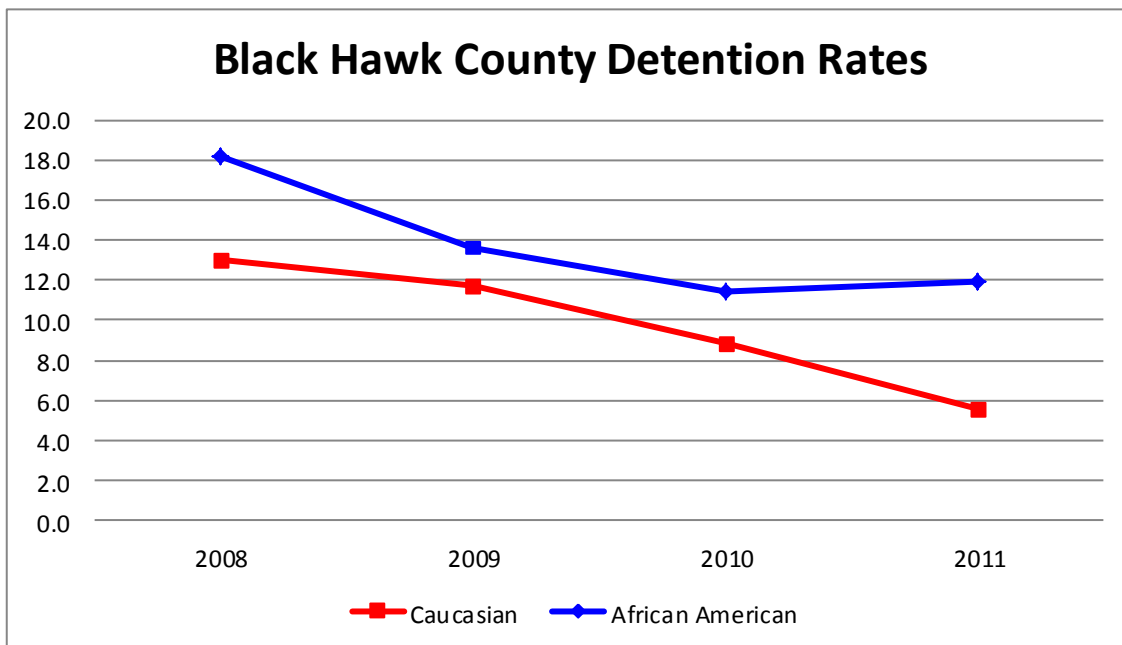
**Figure 2**  
**Black Hawk County Detention Numbers**

<b>Black Hawk County Detention Holds</b>	<b>2008</b>	<b>2009</b>	<b>2010</b>	<b>2011</b>	<b>Percent Change (2008 - 2011)</b>
<b>Caucasian</b>	96	72	51	24	-75.0%
Percent Change	--	-25.0%	-29.2%	-52.9%	
<b>African American</b>	135	103	91	70	-48.1%
Percent Change	--	-23.7%	-11.7%	-23.1%	

Source: CJJP – JDW

- The number of detention holds declined for African-American and Caucasian youth from 2008 through 2011.
- As a percentage of overall holds, reductions have been higher for Caucasian youth than African-Americans.

**Figure 3**  
**Black Hawk County Detention Rates**



Source: CJJP – JDW

Rates are calculated from the number of referrals that result in a detention hold, per 100 referrals.

- The average detention rates during the report years for African-American youth and Caucasian youth were 13.8, and 9.3 respectively.
- The detention rate for African-American and Caucasian youth decreased each year during the report period.
- The detention rate for Caucasian youth reduced 57% and for African-American youth 34% during the report years.

## Challenges

Ongoing Oversight - In regards to JDAI related activities, the DMC Committee and the JDAI Steering Committee are no longer regularly meeting. Key local staff positions are no longer supported with state and/or local funding.

- The JDAI Committee provided noteworthy support and oversight related to detention reform.
- The local DMC Committee has been engaged in a variety of local activities, but, most specifically, efforts connected to dialogues/presentations/events related to arrests.
  - The DMC Committee, Decat, Allen Health, and other local entities have provided Undoing Racism events on a number of occasions in Black Hawk County, and most recently, October, 2012. The intensive trainings are provided by the Peoples Institute for Undoing Racism, a Louisiana-based organization. A number of local officials referenced the importance of the events like this as a part of CJJP's local interview process.

The DMC and JDAI Committees included key membership from the local juvenile justice and minority communities. Some local officials note concerns that, without ongoing oversight and engagement of JCS and the broader community, recent gains regarding reductions in detention holds may be lost.

## CJJP Recommendations

Recommendation I: Focus local discussions on recognition of existing groups that can provide accountability and oversight to carry forward and monitor detention reform related issues. CJJP is willing to participate in such discussions. CJJP has provided quarterly detention data sets to the Black Hawk County site. A designation should be provided as to the ongoing recipients of that data.

Recommendation II: Local oversight efforts should provide for annual update of the JDAI work plan which is viewed as essential to sustaining detention reform efforts.

Recommendation III: Written policies should be developed to help sustain the progress already made. These new policies should support the local process and allow for continued evolution of practices intended to reduce DMC (e.g., utilization of the Detention Screening Tool). It is critical that local DMC efforts are not solely dependent on existing leadership.

## Section IV – School Discipline and School Arrests

### Identified Issue/Activity

Arrests in the Waterloo Community School District (WCSD) have declined considerably in East and West High Schools. This has been due, in no small part, to the leadership from the WCSD, the Waterloo Police Department, JCS, Judges, Black Hawk County Officials, and various committees (e.g., IS3, DMC, and JDAI). Judicial officials make specific note of the important work that has taken place in terms of referrals to JCS and/or appearance in juvenile court in regard to delinquency issues.

Iowa Safe and Supportive Schools Initiative - East and West High Schools are participating in a noteworthy state school reform effort, Iowa Safe and Supportive Schools Initiative (IS3). IS3 supports efforts to measure and improve conditions for learning, which include school safety, student engagement in school, and the overall school environment. WCSD has submitted a funding plan to State Department of Education officials and supports a planning group that is overseeing implementation of the effort in the schools. WCSD officials have extended an invitation and CJJP will participate in local IS3 discussions specifically related to school incident referrals. In

other discussions WBSD staff identified a number of noteworthy activities underway. An overview of those activities is provided in Attachment C

### **Relevant Data**

Data are available in Attachment D which reflect the following:

- Data provided by the WBSD reflect that the number of school arrests has dropped from 81 in East and West High Schools (7/08 to 06/09) to 37 (8/11 to 06/12).
  - The lead arrest offense was disorderly conduct, with 41 such arrests in the 2009 report period and 16 for the 2012 report period.
  - Minority youth comprised 65% (n=24) of school arrests in the 2012 report period.

### **Challenges**

Data Report - The WBSD agreed to participate in a data collection effort with CJP related to student incident referrals for Waterloo high schools (East, West, and Expo). The data set will also include information on student arrests and referrals to JCS. CJP will continue discussions with WBSD officials regarding development of a data set that can assist the school in affecting its school discipline process. Discussions regarding the effort have been productive.

### **CJP Recommendations**

Recommendation I: The WBSD should take advantage of technical assistance offer by CJP related to data for its student incident referrals and the policy and procedure effort that will be discussed as part of the IS3 activities. The Iowa Department of Education has indicated its willingness to participate in these local discussions.

Recommendation II: WBSD should continue sharing school discipline data with CJP for ongoing monitoring purposes.

## **Section V - Overall Local Leadership and Committee Engagement**

### **Identified Issue/Activity**

There has been a long-standing local interest in DMC-related activities. Those interests speak directly to leadership/engagement, which are key ingredients in reducing DMC. Leadership is a key strength to afford ongoing progress with DMC. Listed below are a number of examples:

- Local Judges have been instrumental reducing juvenile detention facility holds.
- Local NAACP officials are engaged in a variety of DMC-related juvenile justice and education-related efforts.
- The Waterloo Police Department is meeting actively with faith-based and minority community officials to discuss efforts to affect DMC.
- The local office of the Department of Human Services (DHS) has efforts underway related to DMC including Community Partnerships for Protecting Children (operated as a hub through the Eastside Ministerial Alliance) and ongoing efforts to recruit African- American families as foster home providers.
- There is work underway locally through Allen Hayes, Ph.D. at the Public Policy Department of the University of Northern Iowa (UNI) to affect issues related to race through neighborhood planning efforts and in other avenues. Dr. Hayes notes as well interests in programmatic efforts related to DMC.
  - Separately, DHS has a contract at the state-level with UNI researchers Mark Gray, Ph.D., (Department of Sociology, Anthropology, and Criminology) and Michelle Devlin, Ph.D., (Health, Education and Leisure Services) to assist in facilitating a Cultural Equity Alliance. The contract involves evaluation and research related to local DMC work in the child welfare arena.

- State Representative Deborah Berry has a strong overall interest in the efforts pertaining to DMC.
- Sheriff Tony Thompson has been active locally and at the state level on various DMC-related committees.
- The AEA is interested in the extent to which they, working with the WSD, the community, and State Officials, can reduce student misbehavior, including issues related to minority overrepresentation in incidents related to student referrals.
- The DMC-related planning groups listed in Section II have been major contributors to local successes related to DMC. The leadership and diverse membership of those groups is directly related to their success and the successes noted above. In recent years CJJP and its subcontractors have worked most closely with the local JDAI and DMC Committees.

### **Challenges**

Consistency of Purpose - The existence of multiple groups having similar goals can occasionally make it difficult to allow forward progress or to provide agreed-upon avenues to affect overrepresentation. Each group has its own unique charge, but it can at times, be difficult to get all groups moving together toward a single goal. In many communities, cross membership on multiple DMC groups can create fatigue regarding the extent to which true collaboration is taking place.

Risk of Expanded Focus - The leaders in this community have broad areas of expertise and interest. Experience indicates that discussions regarding DMC inevitably expand from the issue of minority overrepresentation in the juvenile justice population to larger societal issues affecting minorities. It is fairly well documented that minorities are disproportionately affected by unemployment and poverty, both of which are risk factors that can be linked to increased rates of criminal and delinquent behavior. These are certainly legitimate concerns and important issues to be addressed in a comprehensive approach to minority overrepresentation. However, many of these long-term issues will tend to exasperate DMC initiatives and bog down efforts to address some critical DMC-related problems that can be ameliorated in the short-term.

### **CJJP Recommendations**

Recommendation I: Black Hawk County should avail itself to its broad array of local leadership.

Recommendation II: Black Hawk County should focus its DMC related activities for the juvenile justice and WCSD to a small and attainable number of goals.

Recommendation III: There is an ongoing need for the various planning groups in the community to specify their missions by requiring accountability that is specific to their overall area of purpose.

## **Section VI – Overall Arrests and JCS Referral**

### **Identified Issue/Activity**

Discussions with a number of Black Hawk County juvenile justice system officials noted trends or concerns regarding offending behaviors or patterns for minority youth, particularly African-American youth. It was hypothesized that African-American youth are more likely to be arrested for weapons offenses. Separately, it was noted that in recent months there has been an increase in burglaries (home invasions) by young African-American males. In response CJJP made a broad query of its Justice Data Warehouse regarding the types of local allegations for which youth were being referred to JCS.

## Relevant Data

CJJP maintains a Justice Data Warehouse (JDW) which contains information from the Iowa Court Information System (ICIS) regarding major juvenile justice decision making points. A more thorough discussion of the JDW is provided on page 77 of Three Year Plan

([http://www.humanrights.iowa.gov/cjip/images/pdf/2012\\_3YearPlan.pdf](http://www.humanrights.iowa.gov/cjip/images/pdf/2012_3YearPlan.pdf)). Allegation data for Black Hawk County are included as Attachment E – Top 20 Allegations, and are utilized in Figure 4.<sup>1</sup>

**Figure 4**  
**Top 5 Allegations for Caucasian and African-American Youth**  
Data from 1/1/2010-6/30/2012

### Caucasian

	2010	2011	2012	Totals
<b>THEFT 5TH DEGREE - 1978 (SMMS)</b>	116	99	51	266
<b>POSSESSION OF A CONTROLLED SUBSTANCE (SRMS)</b>	69	40	19	128
<b>BURGLARY 3RD DEGREE - UNOCCUPIED MOTOR VEHICLE (AGMS)</b>	84	8	11	103
<b>ASSAULT (SMMS)</b>	44	38	19	101
<b>JCS - POSSESS/PURCH ALCOHOL BY PERSON UNDER 18</b>	14	66	17	97
Top 5 Totals	327	251	117	695

### African-American

	2010	2011	2012	Totals
<b>THEFT 5TH DEGREE - 1978 (SMMS)</b>	130	124	42	296
<b>DISORDERLY CONDUCT - FIGHTING OR VIOLENT BEHAVIOR (SMMS)</b>	135	86	23	244
<b>INTERFERENCE W/OFFICIAL ACTS (SMMS)</b>	94	83	23	200
<b>BURGLARY 3RD DEGREE - UNOCCUPIED MOTOR VEHICLE (AGMS)</b>	183	16	0	199
<b>ASSAULT (SMMS)</b>	86	39	21	146
Top 5 Totals	628	348	109	1,085

Source: JDW

#### Allegations Remarks - Figure 4:

- The numerical counts for the top five allegations for African-American youth are considerably higher than for Caucasian youth.
- Theft-5 is top arresting allegation for both races.
- Possession of a controlled substance and possession of alcohol are two offenses on the top 5 list for Caucasians not on the list for African-Americans.

<sup>1</sup> The data in Attachment E are taken from the JDW and are comprised of individual allegations which resulted in a referral to JCS. The tables include data regarding the top 20 allegations for Caucasian and African American youth. Data sets are provided for calendar year 2010, 2011, and January through June 2012.



- Disorderly conduct (fighting) and interference with official acts are two offenses on the top 5 list for African-Americans not of the list for Caucasians.

Allegations - Overall Remarks (see data from Attachment E - Top 20 Allegations):

- Combined allegations for Caucasian and African American youth declined from 2010 (n=1,864) to 2011 (n=1,344). Allegations will decline for 2012 if they continue at the present rate (n=523 Jan-June).
- For classification purposes CJJP includes disorderly conduct, interference with official acts, harassment of public officer, failure to disperse and certain other offenses as public order allegations.
  - African-American youth account for 82% (n=604) of the public order allegations included in the top 20.
  - Public order allegations constitute 9% of the top 20 allegations for Caucasian youth and 28% of such allegations for African-American youth.

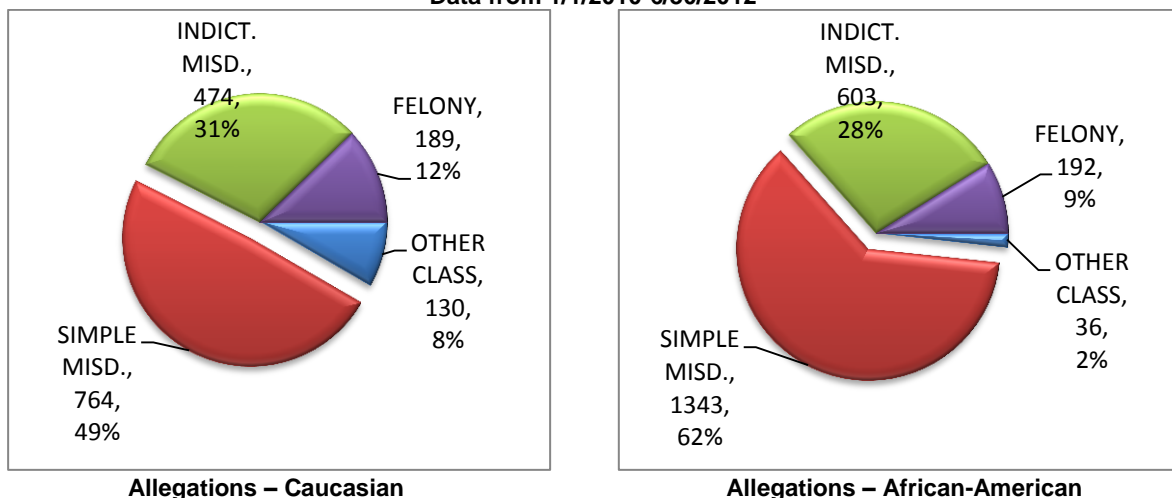
Allegations – Burglary 3<sup>rd</sup>: Data and remarks provided here relate specifically to local feedback regarding potential increases in local burglaries.

- Burglary 3<sup>rd</sup> allegations number fewer than 50 for the combined report period. For the 2012 report period (Jan. – June) there are 7 allegations of burglary 3<sup>rd</sup> (Caucasians 6 and African-Americans 1). At that rate burglaries will not exceed allegations for the prior two report years.
  - African-American youth account for 44% of burglary 3<sup>rd</sup> allegations in the combined report period.

Allegations - Weapons: Data and remarks provided here relate specifically to local feedback regarding the likelihood of African-American youth involvement with weapons.

- Two weapons allegations are specifically listed in the top 20 allegations, carrying weapons and intimidation with a dangerous weapon. These offenses account for under 2% (n=58) of the overall allegations for the combined report periods.
  - Caucasian and African-American youth each comprise 50% (n=29) of the weapons allegations listed in the top 20.

**Figure 5**  
**JCS Allegations by Offense Level**  
Data from 1/1/2010-6/30/2012



Source: CJJP, Justice Data Warehouse

“Other Class” includes scheduled violations (e.g. certain alcohol, traffic, and court offenses)

#### Remarks - Figure 5:

- Numerical allegation counts are higher for Caucasians in felonies, indictable misdemeanors, and other classes. Counts are higher for African-Americans only for simple misdemeanors.
- Felonies (n=381) comprise 10% of the allegations referred to JCS for the combined report period.
  - Felony allegations for Caucasians and African-Americans comprise 12% and 9%, respectively, of the overall allegations for their respective racial/ethnic groups during the combined report period.
- Indictable misdemeanors (n=1,077) comprise 29% of the allegations referred to JCS for the combined report period.
  - Indictable misdemeanor allegations for Caucasians and African-Americans comprise 31% and 28%, respectively, of overall allegations for their respective racial/ethnic groups during the combined report period.
- Simple misdemeanors (n=2,107) comprise 57% of the allegations referred to JCS for the combined report period.
  - Simple misdemeanors for Caucasians and African-Americans comprise 49% and 62%, respectively, of overall allegations for their respective racial/ethnic groups during the combined report period.

#### Challenges

Simple Misdemeanor and Public Order Allegations - If all of the overrepresentation that exists in the juvenile justice system were eliminated for minority youth at the allegation level for felony level allegations, disproportionality would still be significant. Recent data suggest that 57% of all allegations referred to the juvenile court in Black Hawk County are for simple misdemeanor offenses. Some of the offenses for which there is the most significant overrepresentation include disorderly conduct and interference with official acts. These offenses are those that offer the greatest opportunity for the judicious exercise of discretion by justice system representatives.

Police Stops - A number of local audiences in Black Hawk, Johnson, Polk, and Woodbury Counties express concern at the high rates and frequencies of police stops, arrests, and searches for African-American youth. CJJP conducted additional research regard the noted concerns which is summarized in Attachment F.

#### CJJP Recommendation

Recommendation: There was some level of local interest expressed regarding the potential of local discussions regarding arrest. CJJP recommends such discussion focus on low level offenses. CJJP would make itself available for such discussions. Rather than creating a new group, an existing group should be considered for such discussions.

#### **Section VII Other Juvenile Justice System Activities**

##### **Identified Issue/Activity**

Juvenile Justice Reform Project - JCS actively sought to be a part of a state-level grant effort to improve its programming, Iowa's Juvenile Justice Reform Project (JJRP), which implements both the Standardized Program Evaluation Protocol and the cost-benefit Results First model created by the Washington State Institute for Public Policy (WSIPP). Funding was awarded in October of 2012 to support three Judicial Districts including the First, which includes Black Hawk County. CJJP will partner with JCS officials and juvenile justice-related youth serving programs to implement JJRP. JCS notes a specific interest in learning more about programming found to be effective for minority youth.

Best Practices - JCS has implemented various best practice programming, including functional family therapy, a research-based program that engages the family in improving the behaviors of delinquent youth. JCS is also utilizing a weekend offender program that serves as a viable alternative to secure detention holds.

### **Challenges**

Audience Engagement - Black Hawk County's participation in the JJRP effort and their work with various best practice programming will affect local youth serving programs and audiences outside of JCS. It is in the interest of the various audiences to be aware and informed of the work taking place.

Overrepresentation at Various Juvenile Justice Decision Points - Despite the noteworthy successes in school arrests and juvenile detention, overrepresentation still exists at various juvenile delinquency decision-making stages.

- Overall DMC matrices rates are considerably lower than national averages, however, relative rates remain elevated for African-American youth at the decision-making phases of arrest, diversion, detention, and petition for calendar year 2011 (pages 88 and 89 of Three Year Plan [http://www.humanrights.iowa.gov/cjip/images/pdf/2012\\_3YearPlan.pdf](http://www.humanrights.iowa.gov/cjip/images/pdf/2012_3YearPlan.pdf) ).

### **CJJP Recommendation**

Recommendation: JCS notes a specific interest in learning more about programming found to be effective for minority youth. JCS should engage relevant local planning groups/audiences regarding implementation of the JJRP effort and their various best practices related activities.

## **Section VIII Relationships of Major Institutions to Minority Community**

### **Identified Issue Activity - Challenges**

Minority Community Trust in Local Institutions - Some local officials noted concerns with the ability for families of color, particularly African-American parents, to approach and work with the schools and law enforcement on issues faced by their youth. It is clear that local institutions are offering formal and informal opportunities for access by minority families. Research reflects minority distrust of institutions as a major factor in their willingness to access or function within institutions which is summarized in Attachment G.

New Arrivals - A number of individuals noted new arrivals to their community from Illinois, Minnesota, and other contiguous states. It was suggested that such youth often come from much larger urban settings and have difficulty adjusting to life in Waterloo. This is noted as a universal phenomenon in the communities in which CJJP interviews are being conducted.

CJJP's local discussions, by design, have a focus on the involvement of minority youth in the juvenile justice system. There has been no discussion regarding the potential risks associated with Caucasian families relocating to various Iowa communities. There is an issue associated with stereotyping new arrivals and assuming that minority families will, by virtue of their race/ethnicity, present problems to the community. A concern is that references are routinely made regarding families relocating "from Chicago", and that such references are a proxy for race (African-American families), which may inappropriately connote increased issues associated with the potential of crime, gang involvement, issues in school, etc.

### **CJJP Recommendations**

Recommendation I: Local institutions such as JCS, the judiciary, law enforcement, schools, etc. need to engage minority families in ongoing and meaningful dialogues regarding the policies that affect their youth.

Recommendation II: A relevant theme noted by advocates in Black Hawk (as well as Johnson, Polk, and Woodbury Counties), is the importance that minority families that are new arrivals be embraced and allowed to become a part of a recognized community (neighborhood, school, broader community). Comments by advocates centered on the importance of established communities providing a welcome for newly arrived minority families.

## Attachment A Black Hawk County Officials Interviewed

<p><b>Child/Youth Serving Agency</b> Cheryl Faries, CPPC</p> <p><b>Citizen</b> Jim Day, NAACP</p> <p><b>Corrections (Department of)</b> Marvin Spencer, Prob./Parole Supervisor</p> <p><b>Elected Officials</b> <i>County</i> Tom Ferguson, Black Hawk County Attorney <i>State</i> Deborah Berry, State Representative</p> <p><b>Defense Attorney</b> Melissa Anderson-Seeber, Juvenile PD Aaron Hawbaker, Chief PD</p> <p><b>Human Services (Department of)</b> Evan Klenk, Northern Service Area Manager Jan Streich, Community Liaison Dawn Turner, Social Work Administrator</p>	<p><b>Judiciary</b> <i>Judges</i> Stephen Clarke, District Court Judge Daniel Block, Associate Juvenile Judge <i>Juvenile Court Services</i> Ruth Frush, Chief Juvenile Court Officer</p> <p><b>Law Enforcement</b> Daniel Trelka, Chief of Police</p> <p><b>School Officials</b> <i>Waterloo Community School District</i> Gary Norris, Ph.D., Superintendent William Barney, Ph.D. Assist. Sup. for Scdry. Schools And Spec. Ed. Beverly Smith, Ph.D. Assoc. Sup. for Human Res./Equity Cora Turner Exec. Dir. of Student and at-Risk Services <i>AEA</i> Jaymie Randel, IS3 Coordinator</p> <p><b>University</b> Allen Hayes, Ph.D., Professor of Political Science, UNI</p>
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## **Attachment C**

### **Other School Discipline Related Successes**

*Positive Behavior Interventions Supports* - WCSD officials note significant progress in the District through implementation of Positive Behavior Intervention Supports (PBIS). PBIS is a research-based, school-wide, system approach to improving school climate and create safer and more effective schools.

*Expo Alternative Learning Center* - Expo Alternative Learning Center serves various populations of students ranging from 6<sup>th</sup> through 12<sup>th</sup> grade. In addition to serving as an alternative high school, Expo houses the following programs: Grad Connect, After Hours, STAR-C, and WEBC. The following provides a brief explanation of these programs:

- *Grad Connect* – students may obtain credits toward graduation if they are behind.
- *After Hours* – students who work or have some other conflict during normal school hours can attend after regular hours to obtain credits.
- *STAR-C* – special needs students who need to be separated or removed from the traditional school setting can work on getting back to their home school.
- *WEBC (Short Term)* – for students who have had a fight or some type of incident that would normally result in a suspension - rather than stay at home, these youth attend Expo for a 5-day period to attend “group” and discuss issues.
- *WEBC (Long Term)* – for students with repeated referrals who continue to disrupt the school environment – they may stay at Expo four to nine weeks and then return to their home school.

## Attachment E

### Top 20 JCS Allegations

#### Caucasian

	2010	2011	2012*	Sum:
THEFT 5TH DEGREE - 1978 (SMMS)	116	99	51	266
POSSESSION OF A CONTROLLED SUBSTANCE (SRMS)	69	40	19	128
BURGLARY 3RD DEGREE - UNOCCUPIED MOTOR VEHICLE (AGMS)	84	8	11	103
ASSAULT (SMMS)	44	38	19	101
JCS - POSSESS/PURCH ALCOHOL BY PERSON UNDER 18	14	66	17	97
POSSESSION OF DRUG PARAPHERNALIA (SMMS)	30	23	22	75
CRIMINAL MISCHIEF 5TH DEGREE (SMMS)	23	32	10	65
INTERFERENCE W/OFFICIAL ACTS (SMMS)	23	24	15	62
TRESPASS - < 200 (SMMS)	25	24	8	57
DISORDERLY CONDUCT - FIGHTING OR VIOLENT BEHAVIOR (SMMS)	32	12	3	47
BURGLARY 3RD DEGREE (FELD)	17	20	6	43
ASSAULT CAUSING BODILY INJURY-1978 (SRMS)	18	18	4	40
CONSUMPTION / INTOXICATION - 1978 (SMMS)	12	9	11	32
INTIMIDATION W/DANGEROUS WEAPN-INJURE/PROVOKE FEAR/ANGR(FELC	29	0	0	29
THEFT 2ND DEGREE - 1978 (FELD)	11	11	7	29
DISORDERLY CONDUCT - LOUD AND RAUCOUS NOISE (SMMS)	16	7	3	26
THEFT 4TH DEGREE - 1978 (SRMS)	15	8	2	25
OPER VEH WH INT (OWI) / 1ST OFF (SRMS)	6	10	7	23
JCS - POSSESS/PURCH ALCOHOL BY PERSON <18 YOA - 1ST OFFENSE	21	0	0	21
FORGERY (FELD)	0	20	0	20
ALL OTHER ALLEGATIONS	131	90	47	268
Totals for Caucasian	736	559	262	1,557

## Attachment E (continued)

### Top 20 JCS Allegations

#### African-American

	2010	2011	2012*	Sum:
<b>THEFT 5TH DEGREE - 1978 (SMMS)</b>	130	124	42	296
<b>DISORDERLY CONDUCT - FIGHTING OR VIOLENT BEHAVIOR (SMMS)</b>	135	86	23	244
<b>INTERFERENCE W/OFFICIAL ACTS (SMMS)</b>	94	83	23	200
<b>BURGLARY 3RD DEGREE - UNOCCUPIED MOTOR VEHICLE (AGMS)</b>	183	16	0	199
<b>ASSAULT (SMMS)</b>	86	39	21	146
<b>DISORDERLY CONDUCT - LOUD AND RAUCOUS NOISE (SMMS)</b>	43	44	8	95
<b>TRESPASS - &lt; 200 (SMMS)</b>	32	36	16	84
<b>POSSESSION OF A CONTROLLED SUBSTANCE (SRMS)</b>	33	35	15	83
<b>CRIMINAL MISCHIEF 5TH DEGREE (SMMS)</b>	27	39	5	71
<b>ASSAULT CAUSING BODILY INJURY-1978 (SRMS)</b>	31	23	10	64
<b>CONSUMPTION / INTOXICATION - 1978 (SMMS)</b>	13	32	16	61
<b>HARASS PUBLIC OFFICER/EMPL. - 1978 (SMMS)</b>	31	9	2	42
<b>BURGLARY 3RD DEGREE (FELD)</b>	22	11	1	34
<b>THEFT 4TH DEGREE - 1978 (SRMS)</b>	15	14	1	30
<b>CARRYING WEAPONS - 1978 (AGMS)</b>	17	6	6	29
<b>THEFT 2ND DEGREE - 1978 (FELD)</b>	15	11	0	26
<b>BURGLARY 2ND DEGREE - 1983 (FELC)</b>	14	5	5	24
<b>CRIMINAL MISCHIEF 2ND DEGREE - 1978 (FELD)</b>	16	6	1	23
<b>FAILURE TO DISPURSE - 1978 (SMMS)</b>	18	4	1	23
<b>ASSAULT ON PEACE OFFICERS &amp; OTHERS (SRMS)</b>	10	8	4	22
<b>ALL OTHER ALLEGATIONS</b>	163	154	61	378
Totals for African-American	1,128	785	261	2,174

Source: Justice Data Warehouse

\* includes data from 1/1/2012-6/30/2012



## Attachment F

### Research Regarding Police Stops

As noted in Section VI CJPJ conducted a variety of research related to police stops. That research is summarized below.

- *“Stops occur in Black and Latino neighborhoods, and even after adjustments for other factors including crime rates, social conditions and allocation of police resources in those neighborhoods, race is the main factor determining New York Police Department stops.”<sup>2</sup>*
- *Relative to stopped whites, stopped blacks are 127% more likely and stopped Hispanics are 43% more likely to be frisked.”<sup>3</sup>*
- *“Even after relevant legal and extralegal factors are controlled, reports from young minority males indicate they are at the highest risk for citations, searches, arrests, and use of force during traffic stops. Yet, these drivers are not more likely to report carrying contraband, which, it has been suggested, is one of officers’ primary motivations for conducting disproportionate stops and searches of minority citizens.”<sup>4</sup>*

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<sup>2</sup> Center for Constitutional Rights - Report to United States District Court, Southern District of New York, Jeffrey Fagan, 2010  
[http://ccrjustice.org/files/Expert\\_Report\\_JeffreyFagan.pdf](http://ccrjustice.org/files/Expert_Report_JeffreyFagan.pdf)

<sup>3</sup> A Study of Racially Disparate Outcomes in the Los Angeles Police Department, Yale Law School, Townsend, 2008  
<http://www.scribd.com/doc/99227597/A-Study-of-Racially-Disparate-Outcomes-in-the-Los-Angeles-Police-Department>

<sup>4</sup> Examining the Influence of Drivers' Characteristics During Traffic Stops with Police: Results from a National Survey, University of Cincinnati, 2001  
<http://cjonline.uc.edu/field-of-criminal-justice/criminal-justice-research/examining-the-influence-of-drivers-characteristics-during-traffic-stops-with-police-results-from-a-national-survey/>

## **Attachment G**

### **Research Regarding Minority Distrust of Institutions**

Observations are noted below from 1993 research by Michael Leiber, Ph.D. The research has been included in this report (despite the fact that it was released nearly 20 years ago) because it is one of the few studies that included interviews with Iowa juvenile justice system officials and delinquent youth. Some of the information CJJP staff heard in discussions in recent weeks with Black Hawk County officials is remarkably similar to the findings in the Leiber study.

Leiber study comments regarding the juvenile justice system are below.

*“Minorities, especially black families are believed to be more distrustful of the system than whites and their families. Black parents are believed to be less willing to hold youth accountable for their actions and/or encourage respect for authority. Parents are also seen as often failing to attend scheduled meetings with decision makers which may result in the for further court involvement. At the same time, minority youth are not seen as less likely to admit or cooperate. Interestingly, youth argue that juvenile court decision makers may act too quickly in wanting to remove them from what is perceived as an inadequate home environment.”<sup>5</sup>*

Leiber study comments regarding schools are below.

*“Both adults and youth suggested there may be problems in the school system. A lack of minority staff and willingness on school officials to suspend and place youth in behavioral disorder classes were cited as areas of concern. An increasing reliance on calling the police and on the juvenile court to solve problems was also raised.”<sup>5</sup>*

Leiber study perceptions regarding the views of youth toward JCS staff.

*“All the youth in each of the counties viewed probation officers in a positive light. Most indicated they had good relations with their officer.”<sup>5</sup>*

Information regarding research relating to minority trust in child welfare arena is provided below.

- **Child Welfare** – *“The study found that (African-American) residents were aware of intense agency involvement in their neighborhood and identified profound effects on social relationships including interference with parental authority, damage to children’s ability to form social relationships, and distrust among neighbors. The study also discovered a tension between respondents’ identification of adverse consequences of concentrated state supervision for family and community relationships and neighborhood reliance on agency involvement for needed financial support.”<sup>6</sup>*

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<sup>5</sup> The Disproportionate Overrepresentation of Minority Youth in Secure Facilities: A survey of Decision Makers and Delinquents, University of Northern Iowa, Leiber, 1993. [http://www.uiowa.edu/~nrcfcp/dmcr/news\\_and\\_report.shtml](http://www.uiowa.edu/~nrcfcp/dmcr/news_and_report.shtml)

<sup>6</sup> *The Racial Geography of Child Welfare: Toward a New Research Paradigm*, Northwestern University Law School, Roberts, 2008 [http://www.ncbi.nlm.nih.gov/sites/entrez?Db=pubmed&Cmd=Retrieve&list\\_uids=18972935&dopt=abstractplus](http://www.ncbi.nlm.nih.gov/sites/entrez?Db=pubmed&Cmd=Retrieve&list_uids=18972935&dopt=abstractplus)